IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CIVIL APPLICATION (ST) NO. 17495 OF 2006
IN
WRIT PETITION NO. 178 OF 2004

Smt. Nalini Bhanudas Khatavkar
and Ors. ... Petitioners

Vs.

The State of Maharashtra & Ors. ... Respondents

And

Sou. Nutan Jaywant Bansode
and Ors. ... Applicants

Mr. Dilip Bodke for Applicant/intervenor.

Mr. R.M. Patne, A.G.P. for R.Nos. 1 to 5.

Mr. M.B. Mehere for R. No. 6.

Mr. Uday Warunjikar for R. Nos. 8 to 25.

CORAM: F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATE : AUGUST 02, 2006

P.C.:

. The applicants are belonging to reserved category. They have approached this court as Respondent No. 6 has reverted them from the post of Supervisors to Anganwadi Sevikas. It is the case of Respondent No. 6 that they have proceeded on the basis of the order of this court in its judgment dated 28.02.2006 in which it was directed to hold de novo examination. The applicants had also appeared for the examination held on 16.3.2003 along with the petitioners in the Petition and in these circumstances, that the order of reversion had been

passed.

. We have considered our judgment in Writ Petition No. 178 of 2004. Before us the issue as raised by the Petitioner was that they had appeared for the examination and having passed the examination had to be posted in the seats reserved for the O.B.Cs. Against these seats however, Respondent Nos. 8 to 25 had been appointed and that too in contravention of the earlier judgment of this court in Writ Petition NO. 5335 of 2000. We were thus only considering this issue which was before us. It is in that context, that we set aside the appointment of Respondent Nos. 8 to 25 as supervisors and issued directions in the matter of those vacancies. Our judgment was not directed against the selection of the applicants who were not before us. The Petitioner in Writ Petition No. 178 of 2004 also could not have claimed any right against the seats reserved for S.C./S.T. The applicants belong to reserved category. In other words it is clear that these applicants and their selection was not the subject matter of Writ Petition No. 178 of 2004. This is purely by way of clarification.

. In view of the clarification, on behalf of Respondent Nos. 6, their learned counsel makes a statement that they will withdraw the order dated

18.7.2006. Statement accepted.

. Respondent No. 6 is directed to permit the applicants to work in the post of supervisors to which they had been appointed and on which posts they were working earlier.

. Civil Application disposed of.

(DR.D.Y.CHANDRACHUD,J.) **(F.I.REBELLO, J.)**